

# Union Calendar No. 136

110TH CONGRESS  
1ST SESSION

# H. R. 986

[Report No. 110–220]

To amend the Wild and Scenic Rivers Act to designate certain segments of the Eightmile River in the State of Connecticut as components of the National Wild and Scenic Rivers System, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 12, 2007

Mr. COURTNEY (for himself, Mr. SHAYS, Ms. DELAURO, Mr. LARSON of Connecticut, and Mr. MURPHY of Connecticut) introduced the following bill; which was referred to the Committee on Natural Resources

JULY 10, 2007

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on February 12, 2007]

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## A BILL

To amend the Wild and Scenic Rivers Act to designate certain segments of the Eightmile River in the State of Connecticut as components of the National Wild and Scenic Rivers System, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2       *This Act may be cited as the “Eightmile Wild and Sce-*  
3 *nic River Act”.*

4 **SEC. 2. WILD AND SCENIC RIVER DESIGNATION, EIGHTMILE**  
5 **RIVER, CONNECTICUT.**

6       (a) *FINDINGS.*—*Congress finds the following:*

7           (1) *The Eightmile River Wild and Scenic River*  
8 *Study Act of 2001 (Public Law 107–65; 115 Stat.*  
9 *484) authorized the study of the Eightmile River in*  
10 *the State of Connecticut from its headwaters down-*  
11 *stream to its confluence with the Connecticut River*  
12 *for potential inclusion in the National Wild and Sce-*  
13 *nic Rivers System.*

14           (2) *The segments of the Eightmile River covered*  
15 *by the study are in a free-flowing condition, and the*  
16 *outstanding resource values of the river segments in-*  
17 *clude the cultural landscape, water quality, watershed*  
18 *hydrology, unique species and natural communities,*  
19 *geology, and watershed ecosystem.*

20           (3) *The Eightmile River Wild and Scenic Study*  
21 *Committee has determined that—*

22               (A) *the outstanding resource values of these*  
23 *river segments depend on sustaining the integ-*  
24 *egrity and quality of the Eightmile River water-*  
25 *shed;*

1                   (B) these resource values are manifest with-  
2                   in the entire watershed; and

3                   (C) the watershed as a whole, including its  
4                   protection, is itself intrinsically important to  
5                   this designation.

6                   (4) *The Eightmile River Wild and Scenic Study*  
7                   Committee took a watershed approach in studying  
8                   and recommending management options for the river  
9                   segments and the *Eightmile River* watershed as a  
10                  whole.

11                  (5) *During the study, the Eightmile River Wild*  
12                  *and Scenic Study Committee, with assistance from*  
13                  *the National Park Service, prepared a comprehensive*  
14                  *management plan for the Eightmile River watershed,*  
15                  *dated December 8, 2005 (in this section referred to as*  
16                  *the “Eightmile River Watershed Management Plan”),*  
17                  *which establishes objectives, standards, and action*  
18                  *programs that will ensure long-term protection of the*  
19                  *outstanding values of the river and compatible man-*  
20                  *agement of the land and water resources of the*  
21                  *Eightmile River and its watershed, without Federal*  
22                  *management of affected lands not owned by the*  
23                  *United States.*

24                  (6) *The Eightmile River Wild and Scenic Study*  
25                  Committee voted in favor of inclusion of the

1       *Eightmile River in the National Wild and Scenic*  
 2       *Rivers System and included this recommendation as*  
 3       *an integral part of the Eightmile River Watershed*  
 4       *Management Plan.*

5           (7) *The residents of the towns lying along the*  
 6       *Eightmile River and comprising most of its watershed*  
 7       *(Salem, East Haddam, and Lyme, Connecticut), as*  
 8       *well as the Boards of Selectmen and Land Use Com-*  
 9       *missions of these towns, voted to endorse the*  
 10       *Eightmile River Watershed Management Plan and to*  
 11       *seek designation of the river as a component of the*  
 12       *National Wild and Scenic Rivers System.*

13           (8) *The State of Connecticut General Assembly*  
 14       *enacted Public Act 05–18 to endorse the Eightmile*  
 15       *River Watershed Management Plan and to seek des-*  
 16       *ignation of the river as a component of the National*  
 17       *Wild and Scenic Rivers System.*

18       (b) *DESIGNATION.*—*Section 3(a) of the Wild and Sce-*  
 19       *nic Rivers Act (16 U.S.C. 1274(a)) is amended by adding*  
 20       *at the end the following new paragraph:*

21           “( ) *EIGHTMILE RIVER, CONNECTICUT.*—*Segments*  
 22       *of the main stem and specified tributaries of the Eightmile*  
 23       *River in the State of Connecticut, totaling approximately*  
 24       *25.3 miles, to be administered by the Secretary of the Inte-*  
 25       *rior as follows:*

1           “(A) *The entire 10.8-mile segment of the main*  
2           *stem, starting at its confluence with Lake Hayward*  
3           *Brook to its confluence with the Connecticut River at*  
4           *the mouth of Hamburg Cove, as a scenic river.*

5           “(B) *The 8.0-mile segment of the East Branch of*  
6           *the Eightmile River starting at Witch Meadow Road*  
7           *to its confluence with the main stem of the Eightmile*  
8           *River, as a scenic river.*

9           “(C) *The 3.9-mile segment of Harris Brook start-*  
10          *ing with the confluence of an unnamed stream lying*  
11          *0.74 miles due east of the intersection of Hartford*  
12          *Road (State Route 85) and Round Hill Road to its*  
13          *confluence with the East Branch of the Eightmile*  
14          *River, as a scenic river.*

15          “(D) *The 1.9-mile segment of Beaver Brook*  
16          *starting at its confluence with Cedar Pond Brook to*  
17          *its confluence with the main stem of the Eightmile*  
18          *River, as a scenic river.*

19          “(E) *The 0.7-mile segment of Falls Brook from*  
20          *its confluence with Tisdale Brook to its confluence*  
21          *with the main stem of the Eightmile River at Ham-*  
22          *burg Cove, as a scenic river.”.*

23          (c) *MANAGEMENT.—The segments of the main stem*  
24          *and certain tributaries of the Eightmile River in the State*  
25          *of Connecticut designated as components of the National*

1 *Wild and Scenic Rivers System by the amendment made*  
 2 *by subsection (b) (in this section referred to as the*  
 3 *“Eightmile River”)* shall be managed in accordance with  
 4 *the Eightmile River Watershed Management Plan and such*  
 5 *amendments to the plan as the Secretary of the Interior*  
 6 *determines are consistent with this section. The Eightmile*  
 7 *River Watershed Management Plan is deemed to satisfy the*  
 8 *requirements for a comprehensive management plan re-*  
 9 *quired by section 3(d) of the Wild and Scenic Rivers Act*  
 10 *(16 U.S.C. 1274(d)).*

11 *(d) COMMITTEE.—The Secretary of the Interior shall*  
 12 *coordinate the management responsibilities of the Secretary*  
 13 *with regard to the Eightmile River with the Eightmile*  
 14 *River Coordinating Committee, as specified in the*  
 15 *Eightmile River Watershed Management Plan.*

16 *(e) COOPERATIVE AGREEMENTS.—In order to provide*  
 17 *for the long-term protection, preservation, and enhancement*  
 18 *of the Eightmile River, the Secretary of the Interior may*  
 19 *enter into cooperative agreements pursuant to sections 10(e)*  
 20 *and 11(b)(1) of the Wild and Scenic Rivers Act (16 U.S.C.*  
 21 *1281(e), 1282(b)(1)) with the State of Connecticut, the*  
 22 *towns of Salem, Lyme, and East Haddam, Connecticut,*  
 23 *and appropriate local planning and environmental organi-*  
 24 *zations. All cooperative agreements authorized by this sub-*  
 25 *section shall be consistent with the Eightmile River Water-*

1 *shed Management Plan and may include provisions for fi-*  
 2 *nancial or other assistance from the United States.*

3 *(f) RELATION TO NATIONAL PARK SYSTEM.—Notwith-*  
 4 *standing section 10(c) of the Wild and Scenic Rivers Act*  
 5 *(16 U.S.C. 1281(c)), the Eightmile River shall not be ad-*  
 6 *ministered as part of the National Park System or be sub-*  
 7 *ject to regulations which govern the National Park System.*

8 *(g) LAND MANAGEMENT.—The zoning ordinances*  
 9 *adopted by the towns of Salem, East Haddam, and Lyme,*  
 10 *Connecticut, in effect as of December 8, 2005, including*  
 11 *provisions for conservation of floodplains, wetlands, and*  
 12 *watercourses associated with the segments, are deemed to*  
 13 *satisfy the standards and requirements of section 6(c) of*  
 14 *the Wild and Scenic Rivers Act (16 U.S.C. 1277 (c)). For*  
 15 *the purpose of section 6(c) of that Act, such towns shall be*  
 16 *deemed “villages” and the provisions of that section, which*  
 17 *prohibit Federal acquisition of lands by condemnation,*  
 18 *shall apply to the segments designated by subsection (a).*  
 19 *The authority of the Secretary to acquire lands for the pur-*  
 20 *poses of this Act shall be limited to acquisition by donation*  
 21 *or acquisition with the consent of the owner thereof, and*  
 22 *shall be subject to the additional criteria set forth in the*  
 23 *Eightmile River Watershed Management Plan.*

24 *(h) WATERSHED APPROACH.—*

1           (1) *IN GENERAL.*—*In furtherance of the water-*  
2           *shed approach to resource preservation and enhance-*  
3           *ment articulated in the Eightmile River Watershed*  
4           *Management Plan, the tributaries of the Eightmile*  
5           *River watershed specified in paragraph (2) are recog-*  
6           *nized as integral to the protection and enhancement*  
7           *of the Eightmile River and its watershed.*

8           (2) *COVERED TRIBUTARIES.*—*Paragraph (1) ap-*  
9           *plies with respect to Beaver Brook, Big Brook,*  
10          *Burnhams Brook, Cedar Pond Brook, Cranberry*  
11          *Meadow Brook, Early Brook, Falls Brook, Fraser*  
12          *Brook, Harris Brook, Hedge Brook, Lake Hayward*  
13          *Brook, Malt House Brook, Muddy Brook, Ransom*  
14          *Brook, Rattlesnake Ledge Brook, Shingle Mill Brook,*  
15          *Strong's Brook, Tisdale Brook, Witch Meadow Brook,*  
16          *and all other perennial streams within the Eightmile*  
17          *River watershed.*

18          (i) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*  
19          *authorized to be appropriated such sums as are necessary*  
20          *to carry out this section and the amendment made by sub-*  
21          *section (b).*





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